

Remarks/Arguments

Reconsideration of this application, as amended, is respectfully requested.

Claims 1, 3, 5, 9 and 10 are pending in this application.

Claims 2, 4 and 6-8 are cancelled.

Claims 9 and 10 stand rejected under 35 U.S.C. 112, second paragraph, as being indefinite for the reasons that claim 9 contains the phrase "and/or", considered unclear and indefinite by the Examiner; and that claim 10 is written so as to suggest that a combination claim was intended to be claimed in claim 1, this too apparently being considered to raise some questions in the Examiner's mind. In any event, claim 9 has been amended so as to remove the "and/or" phrase, and claim 1 has been amended in a manner to make it clear that a combination is indeed being claimed.

Claims 1-10 stand rejected based on 35 U.S.C. 102(b) as being anticipated by Paquet et al. (5,488,817). As now presented, claim 1 clearly defines over Paquet et al.

Specifically, among other structure, claim 1 requires a hydrostatic transmission having a variable displacement pump coupled for being driven by an output shaft of an internal combustion engine, with a crop processing device also being driven by the output shaft, and a motor coupled for driving a crop supply device. Also required is a control unit for establishing a desired relationship between the speed of the supply device and the speed of the processing device, this being established by controlling the displacement of the pump by sending a control signal to a displacement control arrangement of the pump. The control signal is generated in response to a speed signal input received by the control unit from a speed sensor arrangement located for sensing the speed of at least one of said internal combustion engine output shaft and processing device, and the comparison of this input signal to a preprogrammed speed relationship between the respective speeds of the crop processing device and crop supply device.

Paquet et al. does not disclose the required hydrostatic transmission for driving the crop supply device nor does Paquet teach the idea of preprogramming the control unit with a desired speed relationship between the crop processing and crop supplying devices, as claimed.

Thus, claim 1, and claims 3, 5, 9 and 10, which depend either directly or indirectly on claim 1 are thought allowable.

Claim 3 is thought allowable for the additional reason that it requires the preprogramming to be accomplished through the agency of one of a table or an algorithm and no such teaching is present in Paquet et al.

Claim 5 is thought allowable for the additional reason that it requires the motor to be coupled to an input shaft of a transmission and for the supply device to be coupled to an output shaft of the transmission, and no such transmission is found in Paquet et al.

Claim 9 is thought allowable for the additional reason that it requires two speed sensors to be respectively operable for sensing the speed of the supply device and the crop processing device, with the sensors being coupled to the control unit so that the latter stores a rotational speed ratio of the two sensors, and no such structure is present in Paquet et al.

Claim 10 is thought allowable for the additional reason that it requires the crop processing device to be a chopper drum and for the supply device to comprise draw-in rollers so that when the desired speed relationship between the respective speeds of the crop processor and supply device is achieved, a desired cut length is achieved, and no such structure is present in Paquet et al.

In conclusion, it is believed that this application is in condition for allowance, and such allowance is respectfully requested.

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Respectfully,


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